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Report of the Jury
System of the Circuit Court
of Washington County

Submitted
by

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Administrative Office of the Courts
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I. Introduction

The purpose of this report is to describe the jury system of the Circuit Court for Washington County. The description encompasses the entire jury process, from initial selection to the time that the jurors leave the court service.

II. Methodology

The material for this report was obtained through an interview with the clerk of court/ Jury Clerk for Washington County's Circuit Court.

III. Description

The management of the Washington County jury system is accomplished through the office of the court clerk, who also serves as the jury commissioner. Along with the jury judge, the clerk performs all functions relating to the selection and care of the jurors within the two, six-month terms of the court, beginning in March and September. The voter registration lists serve as the source for potential jurors, and are continually updated by the Board of Election Supervisors. The selection process (performed once for the entire year) proceeds as follows:

1. In early October, the court clerk contacts the Board of Elections Supervisors for compilation of a master jury wheel. In 1976, the total number of registered voters was 46,818.
2. Divided into this figure to obtain the ratio or interval number was the total number of jurors thought to be needed for the entire year. The base figure of 650 was arrived at through comparisons with previous year juror tallies. This figure also includes estimated numbers of excused and disqualified persons as well as six (6) panels of petit jurors and two (2) of grand jurors.
3. The starting number to be used with the interval number in selection of the qualified wheel is chosen in open court by the jury judge. The interval and starting numbers are then relayed back to the Board of Election Supervisors who compile the qualified wheel from their computer files.
4. On the basis of the interval and starting numbers supplied by the jury commissioner, the computer generates a list of about 650 names and address labels, which are forwarded to this clerk.

The Numerical Juror Response Breakdown for 1976 was:

1. Questionnaires mailed out:	650
2. Questionnaires returned:	620
a. percentage of those questionnaires mailed out that are returned	96%
b. excused - statistics not kept	
c. exempt - statistics not kept	
d. disqualified - statistics not kept	
e. not qualified (a combination of excused, exempt, disqualified, not responding or non-forwardable:	270
3. Not Forwardable:	30
4. Forwardable Yielding No Response:	0
5. Percentage of those returning questionnaire who become qualified:	58%

At this point, all automated aspects of the juror selection process stop and the remainder of tasks are accomplished manually.

On receipt of the address labels, the clerk's office begins mailing its questionnaires, excuse forms, and return envelopes. Each item sent is separately numbered to correspond to each prospective juror. This is usually done by early November with the requirement of a return in ten (10) days. Of the total mailed, thirty (30) were returned as undeliverable while the remainder responded. Although a summons procedure exists for those who fail to return their forms, it is rarely used. Telephone contact is tried first.

Upon receipt of the questionnaires and excuse forms, they are analyzed by the clerk. The excuse policy in existence in Washington County is a liberal one. Reluctant jurors are felt to be bad jurors. Additionally, a liberal excuse policy is seen as a good public relations

device, encouraging early returns of forms, and generally making those returning them more amenable to serve. While the decision on an excuse by the clerk can be appealed, this is seldom done.

Of the approximately 620 (650 minus 30 non-deliverables) remaining prospective jurors, the usual resultant yield after disqualification and excuses is about 60 to 65 percent. This remainder is then placed in a wheel, each juror represented by a numbered ball. From this wheel, two (2) grand jury (of 23) and six (6) petit jury (of 25) panels are selected for the first and second terms with the remainder as alternates. General flexibility on the part of the court toward the jurors is maintained at this stage as jurors have some voice in which six (6) month term they will serve.

Due to the small body of jurors actually used, a "panel" rather than a "pool" system is utilized by Washington County. All jurors serving in a term (3 Petit and 1 Grand Jury) report after receiving a personally served summons and handbook. One day is spent on orientation, consisting of a lecture and question and answer session. The Grand Jury goes into service immediately for periods of from one to five days. They are then relieved until needed again. The three (3) petit panels are summoned to report as needed, usually just prior to trial.

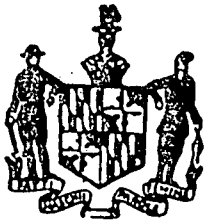
All jurors receive badges which they display during their term of service. This serves to provide easy identification and to create a friendlier atmosphere. Petit jurors are normally called 20 to 30 days in a term. Payment is \$15 per day with \$.08 per mile travel compensation. Jurors are paid on demand by the day, week, month, or term. They also receive \$5 extra if a trial extends beyond normal working hours. Meals are provided only late in the evening.

COMMENTS

Many of the features of the Washington County juror system reflect both its size and regional demography. The lack of a jury room, a payment-on-demand system of juror compensation and personal service to summon jurors are hallmarks of a small, localized operation. Washington County tries to emphasize a good working relationship with its jurors and to keep all contacts with jurors on a very personalized, friendly level. The liberal excuse policy and juror badging system are but two examples of this. Good public relations are felt to be the lubricant of a smoothly operating jury system.

APPENDIX

The following self-explanatory forms are in use in Washington County.



CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY
HAGERSTOWN, MARYLAND 21740

PHONE 733-8660

VAUGHN J. BAKER
CLERK

HANEY, MINA J
2377 PENNA AVE
HAGERSTOWN MD

21740

Dear Citizen:

In accordance with Courts and Judicial Proceedings, Title 8 (Juries) Annotated Code of Maryland 1974, the source of names of prospective jurors shall be selected from the voting registration records of Washington County. Random Jury Selection in this county has been accomplished by Data Processing System.

We are, under this law, required to send you the enclosed jury qualification form which you must fill out and return to the Clerk of this Court in the enclosed, self-addressed envelope within ten days. If you have any questions about, or problems with this form, you should promptly get in touch with the Clerk of this Court either by a visit to his office or by telephoning 733-8660, 733-8661 or 733-8665 between the hours of 8:30 a. m. and 4:00 p. m., Mondays through Fridays.

You will also find enclosed a form to be filled out and signed by your employer if he believes that you should be excused from jury duty because your work involves public necessity. If this form is used, it must be returned with your jury qualification form. The fact that you have completed and sent in your jury qualification form does not necessarily mean that you will be called for jury service.

Although each term is for a period of six months, the actual number of days during that period which an individual juror will be expected to serve should not exceed twenty days and probably will be less. A juror is compensated at the rate of fifteen dollars per day for each day in attendance.

The Clerk of the Circuit Court has been designated by the Jury Judge to enforce the administration of this system and your cooperation will be appreciated.

Very truly yours,

Vaughn J. Baker
Clerk of the Circuit Court and
Administrator of the Jury
Selection Process

VJB/sd

See Reverse Side

14. If you request to be excused from all jury service, check (✓) one of the following reasons:

- (a) Have reached the age of seventy years or older ()
- (b) It would cause "extreme inconvenience" ()
- (c) It would cause "undue hardship" ()
- (d) My work involves "public necessity" ()

(Individual asking to be excused under B, C and D above, unless self-employed, enclosed statement by your employer must be completed and returned with this form.)

Give details: _____

15. Can you read and write the English language? _____

16. Can you speak English? _____ Do you understand spoken English? _____

17. State if you have been convicted of a crime, or have a pending criminal case, other than a minor traffic offense (punishable by a fine under \$500 or sentence under six months).

Crime charged _____ Where _____ Year _____

Sentence or fine _____ Pardoned? _____

18. Do you have a civil lawsuit pending in Washington County? _____

19. Persons who are found qualified for jury service and are not excused will, if selected, be required to serve either (1) as a petit juror in a trial court, or (2) as a grand juror during a term of court, which is six months. All jurors are paid \$15.00 per day for each day served. To the extent possible, you will be given an opportunity to serve as a juror at the time most convenient to you. There are two terms of court each year, listed below. Place a (✓) beside the term in which you would prefer to serve, however preference may not always be possible.

September Term (1st Monday in September to 1st Monday in March) ()

March Term (1st Monday in March to 1st Monday in September) ()

20. I filled out this form for the person whose name appears above because:

21. My name is _____ Address _____

22. I certify under the penalties of perjury, that the information I have given here is true to the best of my knowledge, (Notarization not required) and any person who willfully misrepresents a material fact on a juror qualification form for the purpose of avoiding or securing service as a juror may be fined not more than \$500.00 or imprisoned not more than thirty days, or both.

Signature _____ Date _____

VAUGHN J. BAKER
CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY
HAGERSTOWN, MARYLAND 21740
PHONE 733-8660

TO:

SUMMONS FOR JURY SERVICE

You are hereby summoned to appear in Room 203, second floor of the
Washington County Court House, on Monday
at 9:30 A.M., to begin a period of service as a Juror on the

Witness the Honorable Stuart F. Hamill, Chief Judge of the Fourth Judicial
Circuit.

(Court Seal)

VAUGHN J. BAKER
Clerk

NOTE: Any person summoned for service who shall fail to appear will be subject to
the penalties provided in subsection (b) 8-401-Courts and Judicial Proceedings Annotated Code of
Maryland. If for any reason you cannot appear as directed, promptly call the Clerk of the Circuit
Court on 733-8660, 733-8661 or 733-8665.

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CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY
HAGERSTOWN, MARYLAND 21740
PHONE 733-8660

REQUEST THAT EMPLOYEE WHOSE DUTIES INVOLVE PUBLIC NECESSITY BE EXCUSED FROM
JURY SERVICE

NOTE: See reverse side as to who shall sign this form.

EMPLOYEE:

Name _____

Address _____

Position _____ Length of Employment _____

EMPLOYER:

Name _____

Address _____

Government Agency _____ Public Utility _____ Private Business _____

Nature of Employer's Business or Public Service _____

JUSTIFICATION FOR REQUEST THAT EMPLOYEE BE EXCUSED

Signed by _____

Signer's Position with Employer _____

Date _____

See Reverse Side

INSTRUCTIONS

1. Self-employed persons requesting to be excused from jury service because their duties involve "public necessity" need not return this form.
2. Persons employed by public utilities and other private companies shall have this form filled in and signed by an official of the company. Contact your Personnel Department for information.
3. Persons employed by governmental and public service agencies (such as hospitals) shall have this form filled in and signed by a department head, division chief or comparable official.

IMPORTANT: This form must be returned with the Juror Qualification Form, not separately.

CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY
HAGERSTOWN, MARYLAND 21740
PHONE 733-8660

TO:

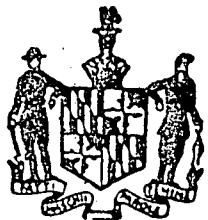
Dear

Our records show that you have not returned a completed juror qualification form as instructed and which, according to our records, was sent to you at the above address.

You are hereby summoned to appear before the Undersigned, Clerk of the Circuit Court for Washington County and Administrator of the Jury Selection Process, in the office of the Clerk of the Circuit Court, Court House, Hagerstown, Maryland, at _____ o'clock A.M./P.M. on _____, 19____, to fill out a juror qualification form, as required by law.

Your failure to appear as directed will result in the issuance of an order of Court commanding you to appear before one of the Judges of the Court and show cause for your failure to comply with the summons. The law provides that any person who fails to appear pursuant to such order or who fails to show good cause for noncompliance with the summons may be fined not more than \$100 or imprisoned not more than three days, or both.

Date: _____ Vaughn J. Baker
Clerk of the Circuit Court for Washington County
and Administrator of the Jury Selection Process



CLERK OF THE CIRCUIT COURT
FOR WASHINGTON COUNTY
HAGERSTOWN, MARYLAND 21740
PHONE 733-8660

VAUGHN J. BAKER
CLERK

The Circuit Court of Washington County is pleased to welcome you as a juror for the coming September term.

For your benefit and so that you better understand the duties and obligations of a juror, we have enclosed a handbook which we ask you to read carefully.

Any questions you may have regarding your term of service as a juror will be answered by Irvine H. Rutledge, Jury Judge, on September 8, 1975 at 9:30 A.M.

Sincerely Yours,

Vaughn J. Baker
Vaughn J. Baker, Clerk

VJB:mhb
Enclosure